AMENDMENT UNDER 37 C.F.R. § 1.116 Attorney Docket No.: Q79816

Application No.: 10/781,628

REMARKS

Claims 1-3, 7 and 9 are all the claims pending in the application. By this amendment,

claims 10 and 11 are incorporated into independent claim 9 and claims 10 and 11 are canceled.

Applicant notes that the Examiner has withdrawn the previous allowance of claims 9 and

10, and instead rejected claims 9 and 10 based on the combination of Ayers, Trossen and Cohn.

Further, we note that the Examiner had previously rejected claims 9 and 10 based on the

combination of Avers, Trossen, Cohn and Jang, However, the Examiner had withdrawn the

rejection after applicant disqualified Jang by perfecting priority. Now, it appears from this Office

Action that Jang was never necessary for the rejection in the first place.

In the interest of compact prosecution, applicant has rewritten independent claim 9 to include subject matter of claims 10 and 11. Thus, allowance is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

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Date: December 9, 2008

Respectfully submitted, /Mainak H. Mehta/ <u>Mainak H. Mehta</u> Registration No. 46,924

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